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Date: 9/15 2004

  
Jack B. Koczarski**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

Tsipouras et al.

CASE NO.: IK-110.3(C)

APPLICATION NO.: 10/091,360

GROUP ART UNIT: 1631

FILED: March 4, 2002

EXAMINER: L.A.Clow

FOR: METHOD AND APPARATUS FOR COMPUTER CONTROLLED RARE CELL,  
INCLUDING FETAL CELL, BASED DIAGNOSIS

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

All copies of the references except US Patents listed on the attached Forms PTO/SB/08A and PTO/SB/08B have been provided.

- ( ) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required. The Commissioner is authorized to charge any fees required to Deposit Account No. 03-3975.

09/20/2004 KBETEMAI 00000065 033975 10091360  
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(X) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

( ) Certification in Accordance with §1.97(e) is set forth below.

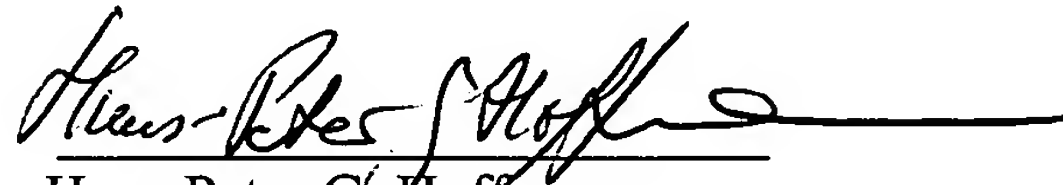
(X ) The fee of \$ 180.00 as set forth in §1.17(p) is attached.

( ) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$        as set forth in §1.17(p).

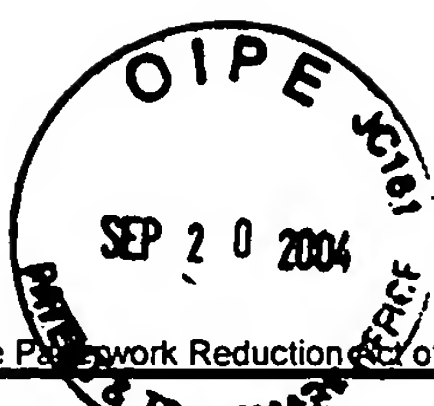
Please charge any necessary fees to Deposit Account No. 03-3975.

The references are only provided in the English language or with an English language abstract or translation.

Respectfully submitted,



Hans-Peter G. Hoffmann  
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PILLSBURY WINTHROP LLP  
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Stamford, CT 06901  
Tel.: (203) 965-8271  
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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00

**Complete if Known**

Application Number	10/091,360
Filing Date	March 4 2002
First Named Inventor	Tsipouras et al.
Examiner Name	L.A Clow
Art Unit	1631
Attorney Docket No.	IK-110.3(C)

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☒ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

03-3975

PILLSBURY WINTHROP LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent		-20** =		X		=	
Multiple Dependent		-3** =		X		=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater, For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00

**SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	Hans- Peter G.Hoffmann	Registration No. (Attorney/Agent)	37,352	Telephone	203 965-8271
Signature		Date	September 15 2004		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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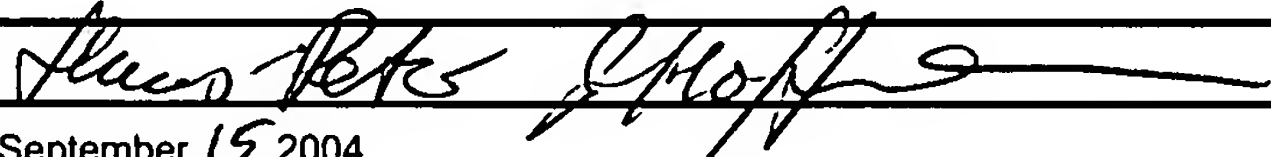
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SEP 20 2004  
PATENT & TRADEMARK OFFICE

1631

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/091,360
	Filing Date	March 4, 2002
	First Named Inventor	Tsipouras et al.
	Art Unit	1631
	Examiner Name	L.A Clow
Total Number of Pages in This Submission	Attorney Docket Number	IK-110.3(C)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. PTO/SB/08A
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. PTO/SB/08B
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	2.1 References-(ISR)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Hans- Peter G. Hoffmann, Reg. No. 37,352
Signature	
Date	September 15, 2004

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Typed or printed name	Jack B Koczarski		
Signature		Date	September 15, 2004

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/091,360	
			Filing Date	03/04/2002	
			First Named Inventor	Tsipouras et al.	
			Art Unit	1631	
			Examiner Name	L.A Clow	
Sheet	1	of	1	Attorney Docket Number	IK-110.3(C)

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US-3,887,466	06/03/1975	Ayers	
	2	US-3,586,064	06/22/1971	Brown et al.	
	3	US-4,828,716	05/09/1989	Mcewen	
	4	US-5,073,857	12/1991	Peters et al.	
	5	US-5,645,715	07/08/1997	Coombs	
	6	US-5,859,700	1/12/1999	Yang	
	7	US-5,949,556	09/07/1999	Tamai	
	8	US-5,995,645	11/30/1999	Soenksen et al.	
	9	US-5,936,731	08/10/1999	Cabib et al.	
	10	US-6,005,964	12/21/1999	Reid et al.	
	11	US-6,026,174	2/15/2000	Palcic et al.	
	12	US-6049,421	04/11/2000	Raz et al.	
	13	US-6,087,134	07/11/2000	Saunders	
	14	US-6,140,997	10/31/2000	Tanaka	
	15	US-6,211,955	04/03/2001	Basiji et al.	
	16				
	17				

FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	10/091,360
				Filing Date	03/04/2002
				First Named Inventor	Tsipouras et al.
				Art Unit	1631
				Examiner Name	L.A.Clow
Sheet	1	of	1	Attorney Docket Number	IK-110.3(C)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	International Search Report, International appl. No. PCT/US02/31684 of December 23, 2002	
Examiner Signature			Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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